

SENATE BILL REPORT

SB 6567

As Reported By Senate Committee On:
Commerce & Labor, February 6, 1998

Title: An act relating to industrial insurance deadlines for hearing loss claims.

Brief Description: Prescribing industrial insurance deadlines for hearing loss claims.

Sponsors: Senators Horn, Schow and Anderson.

Brief History:

Committee Activity: Commerce & Labor: 2/5/98, 2/6/98 [DPS, DNPS].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: That Substitute Senate Bill No. 6567 be substituted therefor, and the substitute bill do pass.

Signed by Senators Schow, Chair; Horn, Vice Chair; Anderson and Newhouse.

Minority Report: Do not pass substitute.

Signed by Senators Franklin, Fraser and Heavey.

Staff: Jack Brummel (786-7428)

Background: A worker must file a claim for occupational disease within two years of receiving written notice from a physician of the disease and the right to file a claim. There is no specific statutory requirement regarding filing hearing loss claims.

Summary of Substitute Bill: Hearing loss claims must be filed within two years of the last work-related injury to hearing, or two years of the effective date of the act, whichever is later. Medical aid benefits may still be collected if claims are not filed in a timely manner.

Substitute Bill Compared to Original Bill: The substitute changes the time periods from one to two years and adds the provision allowing collection of medical aid benefits.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Hearing aid vendors target retirees and treat the ability to collect benefits as a cash cow. Claims have been filed up to 14 years after the fact. This bill would establish a fair limit on the time to file claims. L&I dispenses hearing aids irresponsibly.

Testimony Against: Hearing loss is not a sudden traumatic happening. The bill requires filing a claim soon after injury but the injury can take longer to manifest and people deny they have a problem for years. Acute hearing loss, covered by this bill, is an exception; most is chronic arising from continuous exposure to noise over time.

Testified: PRO: G.G. Randolph; Margie Wienberg, Washington Self-Insurers Group; Bill Wallace, National Frozen Food Corporation; Linda George, Darigold; Dorthea Walters, Kaiser Aluminum; Clif Finch, AWB; CON: Gary Wagner, IAM/AW; Harold Abbe, Association of Western Pulp & Paper Workers; Robby Stern, Washington State Labor Council; Knute Ringen, Washington State Building & Construction Trades Council; Shawn Laborn; Wayne Lieb, Washington Trial Lawyers Association.